IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY

THURSDAY, THE 26TH JULY 2007 / 4TH SRAVANA 1929

Crl.Rev.Pet.No. 737 of 1999()

CC.949/1996 of JUDL.MAGISTRATE OF FIRST CLASS, KOLENCHERRY
.....

REVN. PETITIONER: APPELLANT/ ACCUSED

BIJU V.K., S/O.KUNJAN,
VADAKKEKARA HOUSE,
VETTITHARA (KARA),
MANDEED VILLAGE, RAMAMANGALAM P.O.

BY ADV. SRI.ASOK M.CHERIAN
SRI.C.N.PRABHAKARAN

RESPONDENTS: RESPONDENTS/ COMPLAINANT
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1. A.K.PHILIP, S/O.ALEXANDER,
KANDAKKOTTU HOUSE,
KIKZHUMURI (KARA),
RAMAMANGALAM VILLAGE,
RAMAMANGALAM P.O.

2. STATE OF KERALA,
REP.BY GOVERNMENT PLEADER,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.T.S.RAJAN
BY PUBLIC PROSECUTOR SRI.RAVINDRABABU

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 26/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRL.RP.. NO. 737/1999

ORDER ON CRL.MP. NO.3323/1999 IN CRL.RP. NO.737/1999

DISMISSED

26.07.2007 **SD/- J.B.KOSHY, JUDGE**

/TRUE COPY/

P.A. TO JUDGE

tss

J.B.KOSHY, J.

Criminal.R.P.No.737 OF 1999 ()

Dated this the 26th day of July, 2007

O R D E R

Petitioner was convicted for offences punishable under Section 138 of the Negotiable Instruments Act on the ground that cheque for an amount of Rs.7,500/- issued by him was dishonored for "insufficiency of funds". He was convicted for a period of three months and to pay a fine of Rs.7,500/-. In default of payment of fine he was directed to undergo Simple Imprisonment for one month. Fine was paid. There was a direction to give the cheque amount to the complainant. It is stated that fine amount was paid and he has undergone imprisonment of part of the period till stay was issued by this Court in Crl.M.P.No.3323/1999. Since the cheque amount was equal to the fine amount, I reduce the sentence while confirming the conviction. Sentence is modified as fine of Rs.7,500/-. He has already suffered sentence. With the above

modification of the sentence this revision petition is partly allowed.

J.B.KOSHY, JUDGE

prp

J.B.KOSHY

Criminal.R.P.737 OF 1999

O R D E R

26th July, 2007